

**Neighborhood Conservation District Commission  
Proposal Review Subcommittee  
Minutes of the July 23, 2013 Meeting  
Brookline Town Hall, 333 Washington Street, Room 111**

**Commissioners Present**

James Batchelor  
Dennis DeWitt  
Deborah Goldberg

David King  
Robin Koocher

**Absent:** Stephen Chiumenti

**Staff:** Kara Brewton, Maria Morelli

**Members of the Public:** Alan Allaire, Saralynn Allaire, Nancy Fulton, Jim Solverson (residents);  
Owen Murphy, Chestnut Hill Realty consultant and videographer

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Interim Planner Maria Morelli, Town of Brookline Planning Department, began the meeting at 5:45 pm.

Meeting attendee Owen Murphy, a Chestnut Hill Realty consultant, videographed the meeting.

**Purpose**

The purpose of the Subcommittee's formation is to review the design and suitability of the 40B project proposed for the Hancock Village site. The Subcommittee will recommend to the NCD Commission comments to be included in the Town's response to Mass Development on the site's eligibility.

**Key Dates – Town's Response to 2013 Hancock Village 40 B Proposal**

NCD Public Hearing,  
Subcommittee Report to Commission.....July 31, 2013

Comments to Kathryn Murphy,  
consulting attorney.....August 9, 2013

Comments from Fire, DPW,  
Traffic and Engineering.....August 16, 2013

Town Selectmen's Meeting  
with Kathryn Murphy.....Date to be confirmed

Town's Response due to  
Mass Development.....August 30, 2013

**Preparation of Subcommittee's Report**

Commissioner David King and Maria Morelli together will prepare the Subcommittee's report. Commissioners should review the draft and submit comments to only Maria Morelli.

## Presentation of Any Additional Information

### A. Clarification of the Plans

The Planning Department staff presented the 2013 40B Proposal to the NCD Commission at its July 15, 2013, meeting. Outstanding questions about the plans were addressed at the Subcommittee meeting:

- **Setbacks:** 20 foot setbacks to Beverly Road and Russett Road
- **Height of garage:** 14 feet to ridge line and 21 feet to peak of cupola.
- **Height of apartment building:** Not “less than 35 feet” as stated in developer’s zoning analysis.

Exhibit 27 - Kara Brewton edited South elevation so that all elevations are to scale at approximately 1"= 20'.

East elevation: 57 feet to highest peak

North elevation: 54 feet to highest peak

South elevation:

From lower garage entry to highest peak: 74 feet

From average grade to peak: 63 feet

From average grade to flat roof: 55 feet

- **Orientation of façades** (2.5 story bldgs.): No change. Front façades face HV community.
- **Floor Area Ratio**

Kara Brewton calculated FAR:

<b>Average Allowed</b>	0.39	[0.35 for S-7 and 0.50 for M-0.5]
<b>Proposed, West</b>	0.47	
<b>Proposed, East</b>	0.60	[2.5 story buildings]
<b>Proposed, East</b>	1.1 – 1.36	[apartment building]

- Impervious surface, %: Developer will resend information.

**Action Items** Confirm any discrepancies for FAR in Section 4 of submission with developer  
Developer to resend impervious surface percentages

### B. Planning Department Analysis: Site Sections, Grading, Impervious Surfaces

At its July 15, 2013, the NCD Commission agreed to examine further changes to the grading and topography, along with spacing between proposed buildings and existing structures. Kara Brewton presented an analysis of these elements:

- (1) **Site Sections:** Members agreed that the site sections provided did not adequately show worst-case perspectives; that is, the cross-sections provided showed the widest, or maximum, space between a proposed structure and an abutting single-family home. Also the scale for existing single family homes drawn on the plans did not seem to be in proportion to that of the proposed structure (the home seemed larger than it actually is). As it did in its response to the 2012 Proposal, the Planning Department will show cross-sections that illustrate the minimum space between existing and proposed structures—necessary for properly assessing building massing in the site. Also, additional

cross-sections would have shown the portion of the underground garage in the apartment building that is exposed above grade, thereby increasing the mass of the proposed structure visible to abutters.

It also appears that the paved areas are closer to the property lines of abutting single family homes than they were in the developer's initial proposal. The reduced space between the paved areas and abutters does not meet concerns the Town had with 2012 proposal.

- (2) **Grading contours** in the proposal are close to the buildings and property lines, indicating that the existing topography will be entirely altered. Overall, there are no tree-safe areas. Some ledge will be excavated and mature trees will be removed.

Proposed excavation at the site of proposed apartment building does not show a smooth transition; noted was the raised bank illustrated at Section #2 on the site section plans.

- (3) **Impervious surface:** The percentages of impervious surface in both proposals appear to be the same. Kara diagrammed the surface coverage in both proposals and stacked the layers to illustrate the comparison. The 2013 proposal included more sidewalk detail, which Kara was able to present in the visuals. The amount and use of any pervious pavers is not indicated on the plans.

## C. Outstanding Issues

### *Questions*

*Will there be a second site visit with Mass Development?*

Yes, according to Kara Brewton.

*Has the Town of Brookline documented community standards in relation to the NCD?*

We will submit this question to attorney Kathryn Murphy.

*Turnaround for fire apparatus has been changed. Is change adequate?*

Fire Department and Department of Public Works will confirm.

*Is the storm drainage design adequately sized?*

Developer would need to address.

*Why more garages, especially in the buffer zone?*

Developer would need to explain rationale.

## Chapter 40 B Review Guidelines

### Framework for Discussion

Subcommittee members prepared for the discussion by reviewing the State's *Handbook: Approach to Chapter 40B Design Reviews*. Accordingly, the Subcommittee framed its discussion by referring to the factors that define conformance to the State's implementing regulations, 760 CMR 56.04(4)c:

“that the conceptual project design is generally appropriate for the site on which it is located, taking into consideration factors that may include **proposed use, conceptual site plan and building massing, topography, environmental resources, and integration into existing development patterns** (such finding, with supporting reasoning, to be set forth in reasonable detail);” [boldface added to highlight factors]

Members were asked to use terms for design elements listed in the *Handbook*'s Checklist A (pp. 22-23). to show examples that would support their comments.

Members were asked to refer to the Neighborhood Conservation District guidelines when addressing topography and the total elimination of the greenbelt buffer in the 2013 40B Proposal. The *Handbook* does guide developers to use existing topography to better integrate projects into a site.

One member asked if the discussion should center on a comparison of the 2013 40B Proposal with the 2012 40B Proposal, especially because the two are very similar. The Chair in agreement with Kara Brewton emphasized that Subcommittee should analyze the 2013 Proposal as if an initial proposal had not been submitted. It would be acceptable to highlight examples of how the developer did not meet the Town's concerns with the 2012 Proposal, however. Differences between the two proposals were presented to the NCD Commission at its July 15, 2013, meeting.

## **Analysis and Critique**

### **Conceptual Site Plan**

The subcommittee analyzed the proposal in relationship to both the existing Hancock Village community and the surrounding neighborhood and public spaces. For the following reasons, the subcommittee found that the project proposed for this site is not appropriate overall.

Although the developer claims to have applied the smart-growth principle of creative infill, the developer did not employ recommendations outlined in the *Handbook* to better integrate the project into the site. It was apparent to the subcommittee that the proposal was designed to accommodate the maximum amount of build-out without regard for the existing development pattern.

To accommodate the project at this site, the developer must totally eliminate the greenbelt buffer between existing Hancock Village buildings and the single-family home neighborhood on Beverly and Russett Roads. The shaping of the greenbelt not only serves to mitigate the impact of the original Hancock Village development on the surrounding community, but also actively functions as public open space, essentially a linear park for both Hancock Village residents and the nearby community. Chestnut Hill Realty touts this greenspace and includes photographs of Hancock Village events held there in their advertising literature.

The proposed design has the effect of "shoehorning," not of thoughtful siting. Several members commented that the siting of the proposal was generic and could be anywhere. Residents of Hancock Village and the single-family home abutters will be facing, in effect, a wall with no visual relief in several places. For example, the height of the apartment building ranges from 51 feet to 74 feet depending on the grade and the elevation. The North and South elevations of the apartment building present the most bulk, ranging from 400 to 530 feet long. There is no design rationale for placing a building of this size so close to existing two-story structures and removing most of the mature trees currently there. With seven 44-foot long and 14-foot high garages newly added to the row of proposed flats in the buffer, abutters on Beverly and Russett Roads will face yet another wall of construction.

In the current site design, buildings are designed to separate pedestrians from vehicular traffic. The Subcommittee agreed that the Town's Traffic and Engineering Department will need to assess whether the proposed driveways are roads and if vehicular circulation and stopping site distances are appropriate. The Fire Chief will need to review the plans to confirm adequate turnaround for emergency apparatus.

Despite the developer's attempt to utilize existing public transportation infrastructure, the site is not transit-oriented. The closest public transportation is a stop on Independence Drive for one bus route (#51), which runs infrequently.

### **Building Massing**

Despite having two garage levels below ground, the overall volume of the C-shaped apartment building is overwhelming and out of scale to the surrounding site. A symmetrical and largely monolithic structure, the apartment building at 51 to 74 feet high is situated very close to existing structures only two stories high.

Exhibit 27 shows the monotony of the roof line, with no variation in heights, and the thick horizontal massing of the apartment building. The 2.5 story flats are thicker than the original housing and some are placed at odd angles, making them stand out more.

As Kara Brewton pointed out in her analysis of the site section plans, more cross-sections will illustrate the negative impact of the out-of-scale height and sheer bulk of the apartment building on the surrounding site. Although no drawing of the West elevation was provided, several existing structures will face the West elevation; the perspective of the West elevation in context would also better show how the proposal is not suitable for this site. In the site section plans, the scale of the existing single-family home does not seem to be drawn accurately, though the Planning Department will verify that.

The use of a hipped roof-style (flat roofs were designed in the 2012 proposal) do not offset the overwhelming effect of the apartment building's bulk.

Not clear to the Subcommittee was reason for adding more structured parking to the row of 2.5 story flats in the existing greenbelt. The addition of seven garages, each 44 feet long, further diminish this visual buffer. In addition, paved areas seem closer to the rear property line, despite concerns the Town raised in response to the 2012 proposal about having appropriate setbacks. Paved parking and structured garages are designed close to the housing unlike the existing site townhouses, which were planned to separate pedestrians from vehicular traffic.

### **Topography and Environmental Resources**

The proposal does not use the existing topography to mitigate the congested massing of the buildings and the sheer bulk of the apartment building. In fact, the entire existing greenbelt buffer is eliminated in the proposal. The elimination of the greenbelt is especially significant because this visual buffer currently defines and softens the edge of the Hancock Village site and the abutting single-family neighborhood. The shaping of the greenbelt was thoughtful, deliberate, and planned as a public open space. This park-like space is actively used by the nearby community and Hancock Village residents. In fact, Chestnut Hill Realty regularly schedules family events and activities in that area.

The additional structured garages among the 2.5 story flats have no buffering. Grading contours close to the buildings mean that few of the existing trees will be saved and the puddingstone outcroppings will largely be eliminated. The contours of the site will be flattened to accommodate parking.

The existence of the Town's Hancock Village Neighborhood Conservation District Bylaw further highlights the significance of this design feature and the character it lends to the area. The fact that the developer is eliminating rather than working with this critical design element is a major strike against the proposal.

**Subcommittee's Conclusion**

The Subcommittee generally agreed that the 2013 40B Proposal is not acceptable for the site, in consideration of the factors outlined in the regulations, 760 CMR 56.04(4)c, and for the reasons provided above.

**Next Steps**

The Subcommittee will present its findings on Wednesday, July 31, 2013, at the public hearing with the NCD Commission.

**Meeting Adjourned**

David King moved to adjourn the meeting; Dennis DeWitt seconded. The meeting was adjourned at 7:25 pm.

Respectfully submitted,

Maria Morelli  
Interim Regulatory Planner

July 29, 2013